

BYLAW NO. 2015-5

VEHICLE RESTRICTION BYLAW

**A Bylaw of the Rural Municipality of Browning No. 34,
in the Province of Saskatchewan,
providing for the restriction of the operation
of tractors and certain vehicles on roads in the Municipality
pursuant to Section 8 of *The Municipalities Act***

The Council of the Rural Municipality of Browning No. 34, in the Province of Saskatchewan, enacts as follows:

1. The Council may by resolution appoint a committee comprised of two of its members, with authority on behalf of the municipality, subject to Section 3 hereof, to issue orders in accordance with regulations prescribed by the Minister of Municipal Government:
 - (i) prohibiting the operation of tractors and vehicles on specified roads and bridges in the municipality.
 - (ii) restricting the gross weight of vehicles, other than farm tractors, where the gross weight of the vehicle is in excess of 2700 kilograms, traveling on specified roads or bridges in the municipality;
 - (iii) with respect to vehicles referred to in subclause (ii), restricting the gross weight that may be transmitted to the road through any point or points of contact of the vehicles traveling on specified roads or bridges in the municipality.

AT ANY TIME AND FOR ANY PERIOD MENTIONED IN SUCH ORDER

2. The Committee may rescind or vary any order under Section 1 within the limits of its authority herein.
3. Section 72 of *The Highways and Transportation Act, 1983-84* makes it an offence to violate the provisions of an Order issued pursuant to this bylaw.
4. No person shall operate a tractor or other vehicle in contravention of an order made by committee pursuant to this bylaw.
5. This bylaw and any order made pursuant thereto shall be subject in all respects to the regulations prescribed by the Minister of Municipal Government as set forth in Schedule "A" attached hereto.
6. No person shall deface, injure, knock down, or remove any notice posted by authority of a committee appointed under this bylaw.

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7. Where an Order has been made with respect to a road, no person without a permit shall operate a vehicle on that road which exceeds the gross weight specified in the Order.
8. A person who wishes to obtain a permit for the purpose of section 8 shall:
 - (i) apply to the road the Road Committee in a form prescribed by or acceptable to the Road Committee;
 - (ii) comply with any terms and conditions imposed by the Road Committee; and
 - (iii) pay any fee prescribed by the Road Committee.
9. As a condition of issuing a permit, the Road Committee may impose any terms and conditions that it considers appropriate.
10. No person who obtains a permit pursuant to section 9 shall operate a vehicle in contravention of the terms of the permit, or otherwise fail to comply with any term or condition specified in the permit.
11. The following persons shall be subject to a fine as provided for in the General Penalty Bylaw No. 2006-2:
 - (i) any person who violates section 7 or 10 of this Bylaw; and
 - (ii) the owner of the vehicle operated in violation of section 7 or 10 of this Bylaw, unless that owner demonstrates to the court that the person in possession of the vehicle at the time of the violation was in possession of the vehicle without the express or implied consent of the owner.
12. Bylaw No. 2006-18 is hereby repealed.

INTRODUCED AND READ A FIRST TIME THIS 9th DAY OF SEPTEMBER, 2015.

READ A SECOND TIME THIS 9th DAY OF SEPTEMBER, 2015.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 9th DAY OF SEPTEMBER, 2015.



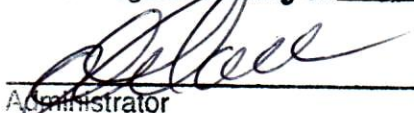


Reeve



Administrator

Certified a true copy of Bylaw No. 2015-5
passed by resolution of the Council present
at their regular meeting on September 9, 2015.



Administrator

SCHEDULE "A" TO BYLAW NO. 2015-5

1. These regulations may be cited as The Road Committee Regulations.
2. In these regulations:
 - (a) "order" means an order issued by the committee;
 - (b) "road committee" means a committee described in Section 8(a) of *The Municipalities Act*.
3. The resolution establishing a road committee may be passed at any regular or special meeting of council.
4. A road committee may issue an order only where, due to inclement weather or unfavorable road conditions, the use of the road in the manner prohibited by the order would, in the opinion of the road committee, reasonably be expected to result in damage to the road or result in a high risk of property damage or of personal injury to the public.
5. Every order shall:
 - (a) be approved by the members of the road committee; and
 - (b) state the date on which it is approved and the date on which it takes effect.
6. The road committee shall file every order with the administrator and the administrator shall promptly notify the permit officer in the Department of Highways and Transportation of the issuance of or the cancellation of an order, as the case may be.
7. Upon the issuance of an order, the road committee shall cause a notice to be posted conspicuously at each end of the road to which the order applies and at any junction or intersection of that road as the road committee considers advisable.
8. Every notice shall:
 - (a) clearly set out the restrictions specified in the order;
 - (b) state the penalty for violation of the order;
 - (c) be of reasonably durable material;
 - (d) be at least 30 centimeters by 45 centimeters in size, and
 - (e) be placed at least one meter from the ground.
9.
 - (1) The road committee shall cancel an order when the road conditions, in the opinion of the road committee, will withstand the traffic otherwise restricted by the order.
 - (2) Upon the cancellation of an order, the road committee shall cause the notices posted in accordance with these regulations to be removed.